

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN FRUTOS, JR.,

Plaintiff,

No. CIV S-04-2361 ALA P

vs.

CALIFORNIA DEPARTMENT
OF CORRECTIONS, et al.,

Defendants.

ORDER

Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983.

On January 22, 2007, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant A. Reed was returned unserved because “per CDC locator too many A. Reeds.” Plaintiff must provide additional information to serve this defendant. Plaintiff shall promptly seek such information through discovery, the California Public Records Act, Calif. Gov’t. Code § 6250, et seq., or other means available to plaintiff. If access to the required information is denied or unreasonably delayed, plaintiff may seek judicial intervention.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to send to plaintiff one USM-285 form, along with an instruction sheet and a copy of the October 18, 2006 amended complaint;

2. Within sixty days from the date of this order, plaintiff shall complete and submit the attached Notice of Submission of Documents to the court, with the following documents:

a. One completed USM-285 form for defendant A. Reed;

b. Two copies of the endorsed October 18, 2006 amended complaint ; and

c. One completed summons form (if not previously provided)

or show good cause why he cannot provide such information.

DATED: August 2, 2007

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

ALA:bb

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NOTICE OF SUBMISSION
OF DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's
order filed _____:

One completed summons form

One completed USM-285 form

Two copies of the October 18, 2006
Amended Complaint

DATED:

Plaintiff